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Attorney Docket **P0790C4D1C2**  
**PATENT**

**EV 351932450 US:** Express Mail Number

**December 2, 2003:** Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Paula M. Jardieu, Utica, New York**  
**Bruce Montgomery, Redwood City, California**

Title: **METHOD FOR TREATING MULTIPLE SCLEROSIS**

**1. Type of Application**

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 10/208,112, filed 29 July 2002, which is a continuation application of application Serial Number 09/309,749, filed 11 May 1999 (now abandoned), which is a divisional application of application Serial Number 08/766,008, filed 13 December 1996 (now abandoned), which is a continuation application of application Serial Number 08/432,543, filed 2 May 1995 (U.S. Patent No. 5,622,700), which is a continuation application of application Serial Number 08/287,055, filed 8 August 1994 (now abandoned), which is a continuation application of application Serial Number 08/128,329, filed 28 September 1993 (now abandoned), which is a continuation application of application Serial Number 07/933,269, filed 21 August 1992 (now abandoned) the entire disclosures of which are hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)  
(Non-provisional)**

45 pages of specification  
3 pages of claims  
1 page(s) of abstract  
10 sheet(s) of drawings  
☒ formal ☐ informal

**3. Declaration or Oath**

☒ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

**4. Assignment**

☒ The prior application is assigned of record to Genentech, Inc.

**5. Amendments (for continuation and divisional applications)**

\_\_\_\_\_ Cancel in this application original claims \_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

\_\_\_\_\_ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**6. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	20	- 20 =	0	X \$18.00	\$0.00
Independent Claims	2	- 3 =	0	X \$86.00	\$0.00
_____ Multiple dependent claim(s), if any				+ \$290.00	\$0.00
Filing Fee Calculation					\$770.00

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$770.00. **A duplicate copy of this transmittal is enclosed.**

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this transmittal is enclosed.**

**9. Additional Papers Enclosed**

☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations

- ☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- X   A petition, fee and/or response has been filed to extend the term in the pending prior application until December 2, 2003
- X   A copy of the petition for extension of time in the **prior** application is attached.

**11. Correspondence Address:**

- X   Address all future communications to:

Attn: Lee K. Tan, Ph.D.  
Customer No: 09157

Respectfully submitted,  
GENENTECH, INC.

Date: December 2, 2003

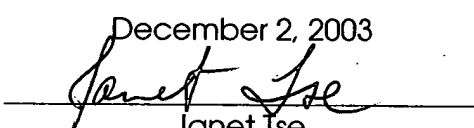
By:

Lee Tan

Lee K. Tan, Ph.D.  
Reg. No. 39,447  
Telephone No. (650) 225-4462

**CUSTOMER NO: 09157**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Jardieu et al.  Serial No.: 10/208,112  Filed: 29 July 2002  For: METHOD FOR TREATING MULTIPLE SCLEROSIS	Group Art Unit: 1644  Examiner: M. Haddad  Confirmation No: 3559  CUSTOMER NO: 09157  <b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  December 2, 2003  Janet Tse
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**PETITION AND FEE FOR THREE MONTH EXTENSION OF TIME**  
**(37 CFR 1.136(a))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

Applicants petition the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated June 2, 2003 for three months from September 2, 2003 to December 2, 2003. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$950.00 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

Respectfully submitted,  
GENENTECH, INC.

Date: December 2, 2003

By:   
Lee K. Tan, Ph.D.  
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